

fine art and antiques, of the Committees on Appropriations of the House of Representatives and Senate, respectively” after “The fund shall be available to the Commission”.

Subsec. (b)(2). Pub. L. 101-302, §312(b)(2), inserted “subject to the approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate,” before “For improvement”.

CAPITOL VISITOR CENTER FUNDING

Pub. L. 107-117, div. B, §913, Jan. 10, 2002, 115 Stat. 2324, provided that:

“(a) Notwithstanding any other provision of law, the United States Capitol Preservation Commission established under section 801 of the Arizona-Idaho Conservation Act of 1988 (40 U.S.C. 188a) may transfer to the Architect of the Capitol amounts in the Capitol Preservation Fund established under section 803 of such Act (40 U.S.C. 188a-2) if the amounts are to be used by the Architect for the planning, engineering, design, or construction of the Capitol Visitor Center.

“(b) Any amounts transferred pursuant to subsection (a) shall remain available for the use of the Architect of the Capitol until expended.

“(c) This section shall apply with respect to fiscal year 2002 and each succeeding fiscal year.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 188a, 188a-1, 188a-5 of this title.

§ 188a-3. Audits by the Comptroller General

The Comptroller General shall conduct annual audits of the transactions of the Commission and shall report the results of each audit to the Congress.

(Pub. L. 100-696, title VIII, §804, Nov. 18, 1988, 102 Stat. 4610.)

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in this section relating to the requirement that the Comptroller General report the results of annual audits to Congress, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 2 of House Document No. 103-7.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 188a, 188a-2, 188a-5 of this title.

§ 188a-4. Advisory boards

The Commission may establish appropriate boards to provide advice and assistance to the Commission and to further the purposes of the Commission. The boards shall be composed of members (including chairmen) who shall be appointed by the Commission from public and private life and shall serve at the pleasure of the Commission and each co-chairman of the Commission may appoint one member to any such board. The members of boards under this section may be reimbursed for actual and necessary expenses incurred in the performance of the duties of the boards, at the discretion of the Commission.

(Pub. L. 100-696, title VIII, §805, Nov. 18, 1988, 102 Stat. 4610.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 188a, 188a-2, 188a-5 of this title.

§ 188a-5. “Member of the House of Representatives” defined

As used in sections 188a to 188a-5 of this title, the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

(Pub. L. 100-696, title VIII, §806, Nov. 18, 1988, 102 Stat. 4610.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 188a, 188a-2 of this title.

§ 188b. Senate Commission on Art

(a) Establishment

There is hereby established a Senate Commission on Art (hereinafter referred to as “the Commission”) consisting of the President pro tempore of the Senate, the chairman and ranking minority member of the Committee on Rules and Administration of the Senate, and the majority and minority leaders of the Senate.

(b) Chairman and Vice Chairman; quorum; Executive Secretary

The Commission shall elect a Chairman and a Vice Chairman at the beginning of each Congress. Three members of the Commission shall constitute a quorum for the transaction of business, except that the Commission may fix a lesser number which shall constitute a quorum for the taking of testimony. The Secretary of the Senate shall be the Executive Secretary of the Commission¹

(c) Selection of Curator of Art and Antiquities of the Senate; availability of professional and clerical assistance

The Commission shall select a Curator of Art and Antiquities of the Senate who shall be appointed by and be an employee of the Secretary of the Senate. The Curator shall serve at the pleasure of the Commission, shall perform such duties as it may prescribe, and shall receive compensation at a gross rate, not to exceed \$22,089 per annum to be fixed by the Commission. At the request of the Commission the Secretary of the Senate shall detail to the Commission such additional professional, clerical, and other assistants as, from time to time, it deems necessary.

(d) Hearings and meetings

The Commission shall be empowered to hold hearings, summon witnesses, administer oaths, employ reporters, request the production of papers and records, take such testimony, and adopt such rules for the conduct of its hearings and meetings, as it deems necessary.

(Pub. L. 100-696, title IX, §901(a), (b)(1), (3), Nov. 18, 1988, 102 Stat. 4610, 4611.)

CODIFICATION

Section is based on section 1 of Senate Resolution No. 382, Ninetieth Congress, Oct. 1, 1968, which was enacted into permanent law and amended by Pub. L. 100-696.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-696, §901(b)(3), substituted “Senate Commission on Art” for “Commission on Art and Antiquities of the United States Senate”.

¹ So in original. Probably should be followed by a period.

Subsec. (b). Pub. L. 100-696, §901(b)(1), inserted “The Secretary of the Senate shall be the Executive Secretary of the Commission”.

SENATE RULEMAKING POWER

Section 901(d) of Pub. L. 100-696 provided that: “The provisions of this section [enacting sections 188b to 188b-5 of this title and amending sections 188b, 188b-1, and 188b-5 of this title] are enacted by the Congress—

“(1) as an exercise of the rulemaking power of the Senate, and as such they shall be considered as part of the rules of the Senate, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

“(2) with full recognition of the constitutional right of the Senate to change such rules at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.”

INCREASES IN COMPENSATION

Increases in compensation for officers and employees of the Senate under authority of the Federal Pay Comparability Act of 1970 (Pub. L. 91-656), see Salary Directives of the President pro tempore of the Senate, set out as notes under section 60a-1 of Title 2, The Congress.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 188b-5 of this title.

§ 188b-1. Duties of Commission

(a) In general

The Commission is hereby authorized and directed to supervise, hold, place, protect, and make known all works of art, historical objects, and exhibits within the Senate wing of the United States Capitol, any Senate Office Buildings, and in all rooms, spaces, and corridors thereof, which are the property of the United States, and in its judgment to accept any works of art, historical objects, or exhibits which may hereafter be offered, given, or devised to the Senate, its committees, and its officers for placement and exhibition in the Senate wing of the Capitol, the Senate Office Buildings, or in rooms, spaces, or corridors thereof.

(b) Issuance and publication of regulations

The Commission shall prescribe such regulations as it deems necessary for the care, protection, and placement of such works of art, exhibits, and historical objects in the Senate wing of the Capitol and the Senate Office Buildings, and for their acceptance on behalf of the Senate, its committees, and officers. Such regulations shall be published in the Congressional Record at such time or times as the Commission may deem necessary for the information of the Members of the Senate and the public.

(c) Consistency of regulations

Regulations authorized by the provisions of section 193 of this title to be issued by the Sergeant at Arms of the Senate for the protection of the Capitol, and any regulations issued, or activities undertaken, by the Committee on Rules and Administration of the Senate, or the Architect of the Capitol, in carrying out duties relating to the care, preservation, and protection of the Senate wing of the Capitol and the Senate Office Buildings, shall be consistent with such rules and regulations as the Commission may issue pursuant to subsection (b) of this section.

(d) Responsibilities of Committee on Rules and Administration of Senate

The Committee on Rules and Administration of the Senate in consultation with the Architect of the Capitol and consistent with regulations prescribed by the Commission under subsection (b) of this section, shall have responsibility for the supervision, protection, and placement of all works of art, historical objects, and exhibits which shall have been accepted on behalf of the Senate by the Commission or acknowledged as United States property by inventory of the Commission, and which may be lodged in the Senate wing of the Capitol or the Senate Office Buildings by the Commission.

(Pub. L. 100-696, title IX, §901(a), (b)(2), Nov. 18, 1988, 102 Stat. 4610, 4611.)

CODIFICATION

Section is based on section 2 of Senate Resolution No. 382, Ninetieth Congress, Oct. 1, 1968, which was enacted into permanent law and amended by Pub. L. 100-696.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-696, §901(b)(2), substituted “protect, and make known” for “and protect” and “Senate wing of the United States Capitol, any Senate Office Buildings” for “Senate wing of the Capitol”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 188b-5 of this title.

§ 188b-2. Supervision and maintenance of Old Senate Chamber

The Commission shall have responsibility for the supervision and maintenance of the Old Senate Chamber on the principal floor of the Senate wing of the Capitol and of the Old Supreme Court Chamber insofar as each is to be preserved as a patriotic shrine in the Capitol for the benefit of the people of the United States.

(Pub. L. 100-696, title IX, §901(a), Nov. 18, 1988, 102 Stat. 4610; Pub. L. 107-68, title I, §108(a), Nov. 12, 2001, 115 Stat. 569.)

CODIFICATION

Section is based on section 3 of Senate Resolution No. 382, Ninetieth Congress, Oct. 1, 1968, which was enacted into permanent law by Pub. L. 100-696.

AMENDMENTS

2001—Pub. L. 107-68 substituted “and of the Old Supreme Court Chamber insofar as each” for “insofar as it”.

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-68, title I, §108(c), Nov. 12, 2001, 115 Stat. 569, provided that: “The amendments made by this section [amending this section and section 188b-4 of this title] shall apply to fiscal year 2002 and all succeeding fiscal years.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 188b-5 of this title.

§ 188b-3. Publication of list of works of art, historical objects, and exhibits

The Commission shall, from time to time, but at least once every ten years, publish as a Sen-